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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/699,864	11/03/2003	Jac-Sun Park	1235-3	5142
66547	7590	10/02/2007	EXAMINER	
THE FARRELL LAW FIRM, P.C.			MISKA, VIT W	
333 EARLE OVINGTON BOULEVARD				
SUITE 701			ART UNIT	PAPER NUMBER
UNIONDALE, NY 11553			2833	
			MAIL DATE	DELIVERY MODE
			10/02/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/699,864	PARK, JAE-SUN	
	Examiner Vit W. Miska	Art Unit 2833	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 11 July 2007.
- 2a) This action is FINAL.                  2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-4 and 7-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 7 and 8 is/are allowed.
- 6) Claim(s) 1-4, 9-13 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application |
|  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-4 and 9-10 rejected under 35 U.S.C. 103(a) as being unpatentable over Masaki (6616328) in view of Komoda (5748570). With respect to claims 1-6, Masaki discloses an apparatus for adjusting the time of analog watch in a terminal having the analog watch, comprising: an analog watch unit, comprising an oscillation circuit 101 for generating a standard signal with a predetermined frequency; a division circuit 102 for dividing the standard signal by a predetermined division ratio according to a control signal 105 and generating a divided signal "divided signal", Fig. 1), a driving circuit for generating a driving signal according to the divided signal (see col. 3, line 32); and a step motor 205 driven by the driving signal, for moving the elements of the analog watch; and a control unit 105, 106 for providing the control signal to the division circuit of the analog watch unit when a predetermined time adjustment manipulation is inputted from an adjustment

key (crown), and for checking with circuit 106 an input state of the time adjustment key manipulation in a time adjustment mode and controlling an operational state of the driving circuit as shown in Fig. 3, steps S301-308, the division circuit dividing the standard signal into one of a predetermined frequency of a general time indication mode "divided signal" to 103, and a predetermined frequency of a time adjustment mode "divided signal" to 107, according to the control signal.

2. Masaki does not suggest use of the device for performing mobile communication functions including voice communication. However, the use of a watch or time measuring device with a mobile communication function is conventional, as shown by Komoda, disclosing a timepiece function in a portable telephone device. A telephone inherently includes voice communication. Therefore, it would be obvious for one skilled in the art to provide a voice mobile communication function in Masaki, as suggested by Komoda, in order to provide the user with telephone capability in a portable or hand held device.

3. With respect to claims 9-10, Masaki discloses a method for adjusting the time of analog watch in a terminal having the analog watch, comprising the steps of: selecting a time adjustment menu with the crown for which the control unit operates in a time adjustment mode as shown in the steps of Fig 3, checking an input state (with circuit

106) of a predetermined time adjustment key (crown) in a time adjustment mode; determining whether a key input is one set for time adjustment at steps S401-403 in Fig. 4, determining whether a duration time is greater than 6 seconds at step S407, and moving the hands of the analog watch faster than in a general time indication according to the input state of the time adjustment key (by means of signal from 107 to 103), wherein the input state is at least one of the number of times the time adjustment key is pressed and the duration (see Fig. 3, S301-S303), wherein the hands of the analog watch are moved according to one of a predetermined unit and continuously according to the input state (S305-308).

4. Claims 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawaguchi et al (5016231) in view of Komoda. Kawaguchi et al disclose a method for adjusting the time of analog watch in a terminal having the analog watch, comprising the steps of inputting a current time at step 592 (Fig. 19a) using keys 22-24 of a keypad of a user interface, and a desired time (Step 536) in a time adjustment mode, calculating a difference between the current time and the desired time at step 538; controlling operations of a division circuit 220 and a driving circuit 221-225 to provide a required number of clocks to step motors 213-216, and moving hands of the analog watch faster than in a general time mode to adjust the time using the step motor, by

generating clock pulses and controlling the frequency thereof (Step 540) corresponding to the calculated difference.

5. Kawaguchi et al do not suggest use of the device for performing voice mobile communication functions. However, the use of a timepiece with a mobile communication function is conventional, as shown by Komoda disclosing a timepiece function in a portable telephone device, such a telephone inherently including a voice communication function.. Therefore, it would be obvious for one skilled in the art to provide a mobile communication function in Kawaguchi et al, as suggested by Komoda, in order to provide the user with telephone capability in a portable or hand held device, in order to provide the user with telephone capability in a portable or hand held device.

6. Claims 7-8 are allowed.

7. Applicant's comments have been given careful consideration, but have not been found persuasive in view of the new grounds of rejection.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

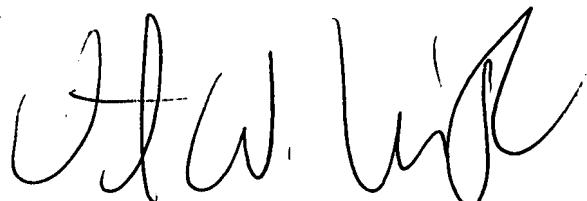
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vit W. Miska whose telephone number is 571-272-2108. The examiner can normally be reached on M-F 9-5:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, P. Bradley can be reached on 571-272-2001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Vit W. Miska  
Primary Examiner  
Art Unit 2833

VM  
9/27/2007